



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2564 OF 2023  
WITH  
INTERIM APPLICATION NO.2563 OF 2023  
WITH  
INTERIM APPLICATION NO.14734 OF 2023  
IN  
FIRST APPEAL (STAMP) NO.7638 OF 2023**

Divisional Manager  
The New India Assurance Co. Ltd. ...Appellant

Versus

Yogesh Tanaji Bhor and Ors. ...Respondents

...

Ms S.S. Dwivedi for the Appellant-  
Mr. Pritesh Bohade for the Respondent Nos.1 to 3.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.**

**DATED: 28<sup>th</sup> AUGUST, 2023.**

**P. C. :-**

**INTERIM APPLICATION NO.2563 OF 2023:-**

1. Learned counsel for the Applicant states that pursuant to order dated 23/03/2023 the Applicant-Insurance Company has deposited the entire compensation before the Claims Tribunal-Nashik, as per the impugned Judgment and Award dated 20/01/2022 passed by the Claims Tribunal, Nashik in M.A.C.P No.1248 of 2016.

2. In the light of the said statement, execution and implementation of the impugned Judgment and Award is stayed pending hearing of the appeal.

3. The application stands disposed of.

**INTERIM APPLICATION NO.14734 OF 2023:-**

4. The Applicants-original Claimants have sought withdrawal of the compensation awarded by the Claims Tribunal by Judgment dated 20/01/2022 in M.A.C.P. No.1248 of 2016. By the impugned Judgment and Award the Claims Tribunal has awarded compensation of Rs.4,66,000/- with interest @6% per annum.

5. Having considered the reasons stated in the application, the Applicants are permitted to withdraw 50% of the compensation with proportionate interest accrued thereon, subject to filing an undertaking that the amount with interest will be refunded in the event the Appellant succeeds in the appeal.

6. The application stands disposed of.

**INTERIM APPLICATION NO.2564 OF 2023:-**

7. Issue notice to the Respondents, returnable on **25/09/2023**. Private service is permitted. Mr. Pritesh Bhobde, learned counsel waives service of notice on behalf of Respondent Nos.1 to 3.

8. Parties to file compilation of documents on or before the next date of hearing.

**(SMT. ANUJA PRABHUDESSAI, J.)**